

Serial No.: 09/815,547
Attorney Docket No.: AUS9-2000-0833-US1

REMARKS

In response to the Office Action dated April 22, 2004, claims 1-3, 8-10 and 18-19 have been amended. Claims 1-20 are in the case. The Applicants respectfully request reexamination and reconsideration of the present application.

Record is made of a telephonic interview between Applicants' attorney Edmond A. DeFrank and Examiner F. Fleming on July 15, 2004. The Office Action of April 22, 2004, the cited references and the pending claims were briefly discussed. A proposed amendment modifying claims 1, 8 and 18 was discussed during the interview. Although no agreement was reached, the above amendments to the claims reflect the discussion between the Examiner and the Applicants' attorney during the interview.

Per the April 22, 2004 Office Action, claims 1-13 and 16-20 stand rejected under 35 U.S.C. 102(b) as allegedly being anticipated by NNRD421130 and claims 1-13 and 16-20 stand rejected under 35 U.S.C. 102(e) as allegedly being anticipated by Glorikian (U.S. Patent No. 6,343,317). Also, claims 14-15 stand rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over Glorikian. Applicants have amended the independent claims 1, 8 and 18, rendering this rejection moot. Applicants respectfully request consideration of the newly amended claims.

With regard to the rejections under U.S.C. 102, the Applicants respectfully submit that neither the NNRD421130 nor the Glorikian reference not disclose, teach, or suggest all of the claimed features in independent claims 1, 8 and 18. For example, with regard to claims 1-7, NNRD421130 or Glorikian fails to disclose or teach "modifying a function of an electronic device as the electronic device moves within a predefined physical working domain having first locations...defining a digital virtual domain having second locations, wherein the second locations correspond to the first locations of the working domain...accessing positional data related to the actual location from a database and electronically associating the positional data with a specific location of the electronic device within the digital virtual domain...transmitting at least a portion of the positional data that is associated with the specific location of the digital virtual domain to the electronic device...and...enabling the electronic device to use the positional data to

automatically modify the function of the electronic device dynamically as it moves within the working domain."

In addition, with regard to claims 8-20, NNRD421130 or Glorikian fails to disclose or teach "defining a digital virtual domain that corresponds to an actual physical predefined working domain with locations of the working domain associated with corresponding locations of a digital virtual domain...accessing positional data from a remote database and electronically associating the positional data with a specific area of the digital virtual domain...transmitting a portion of the positional data that is associated with the specific area of the digital virtual domain to the electronic device....and... using the positional data to automatically modify functions of the electronic device dynamically as it moves within the working domain."

Rather, although NNRD421130 discloses automatic reconfiguration of a laptop based on location, NNRD421130 does not disclose the Applicants' "defining a digital virtual domain that corresponds to an actual physical predefined working domain with locations of the working domain associated with corresponding locations of a digital virtual domain...and...transmitting a portion of the positional data that is associated with the specific area of the digital virtual domain to the electronic device."

Next, although Glorikian discloses delivering position-related information from a data repository to a user, Glorikian fails to disclose the Applicants' claimed "defining a digital virtual domain that corresponds to an actual physical predefined working domain with locations of the working domain associated with corresponding locations of a digital virtual domain...and... using the positional data to automatically modify functions of the electronic device dynamically as it moves within the working domain."

Hence, since neither of the cited references discloses all of the elements of the Applicants' claimed invention, neither reference can anticipate the claims. As such, the Applicants' respectfully submit that the rejections under 35 U.S.C. 102 should be withdrawn.

With regard to the rejection under U.S.C. 103(a), as argued above, the Applicants submit that the Glorikian reference does not disclose, teach, or suggest claimed features in independent claims 1, 8 and 18. Hence, the Glorikian reference

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cannot render the Applicants' invention obvious. This failure of the cited references to disclose, suggest or provide motivation for the Applicant's claimed invention indicates a lack of a *prima facie* case of obviousness (MPEP 2143).

With regard to the rejection of the dependent claims, because they depend from the above-argued respective independent claims, and they contain additional limitations that are patentably distinguishable over the cited references, these claims are also considered to be patentable (MPEP § 2143.03).

In view of the arguments and amendments set forth above, the Applicant respectfully submits that the claims of the subject application are in immediate condition for allowance. The Examiner is respectfully requested to withdraw the outstanding claim rejections and to pass this application to issue. Additionally, in an effort to expedite and further the prosecution of the subject application, the Applicant kindly invites the Examiner to telephone the Applicant's attorney at (818) 885-1575.

Respectfully submitted,
Dated: July 22, 2004



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